

City Hall
80 Broad Street
October 14, 2014
5:00 p.m.

CITY COUNCIL

A. Roll Call

B. Invocation – Councilmember Wagner

C. Pledge of Allegiance

D. Presentations and Recognitions

E. Public Hearings

F. Act on Public Hearing Matters

G. Approval of City Council Minutes:

1. September 23, 2014

H. Citizens Participation Period

I. Petitions and Communications:

- a. Resolution in Support of Increased Diversity in the Technology Industry
(Councilmember Williams)

J. Council Committee Reports:

1. **Committee on Public Works and Utilities (Meeting was held Tuesday, October 14, 2014 at 3:45 p.m.)**

(Acceptance and Dedication of Rights-of-Way and Easements)

Shade Tree – acceptance and dedication of a portion of Wildts Battery Boulevard
(right-of-way varies).

- a. Plat
- b. Title to Real Estate
- c. Affidavit for Taxable or Exempt Transfers
- d. Exclusive Stormwater Drainage Easements
- e. Exclusive Stormwater Drainage Easements

2. Committee on Ways and Means:

(Bids and Purchases)

(Police Department: Approval to accept the 2015 SC Department of Public Safety

- grant in the amount of \$136,014 to continue funding two police officers for the DUI Task Force. No City match is required.
- (Police Department: Approval to accept a 2014 Port Security grant from U.S. Department of Homeland Security Federal Emergency Management (FEMA) in the amount of \$9,656 for the Personal Radiation Detectors. No City match is required.
- (Fire Department: Approval to accept a 2014 Port Security grant from U.S. Department of Homeland Security Federal Emergency Management (FEMA) in the amount of \$93,580 to purchase twenty encrypted radios. A City required match in the amount of \$31,193 will be budgeted in 2015.
- (Parks: Approval to accept the Keep America Beautiful 2014 Waste Management Think Green grant award in the amount of \$10,000 for bus fees for 30 school field trips to recycling center, educational materials and other supplies. No City match is required.
- (Parks-Capital Projects: Approval to submit a grant application with the South Carolina Department of Parks, Recreation & Tourism (SCPRT), in the amount of \$350,000 for the installation of athletic ball field lights on the Great Lawn area of Governor's Park. SCPRT is administering the grant per the proviso included in the FY 2014-2015 Appropriations Act of the S.C. General Assembly. The lighting will allow evening recreation programming on the four soccer/multi-purpose fields. The City will be required to match the grant at 100% or \$350,000, if approved by SCPRT. A funding source will be determined at the time of the grant award.
- (Parks-Capital Projects: Approval of a contract with Carolina Sport Surfaces, Inc., in the amount of \$49,927 to perform playing surface repairs at 12 park sites. This includes resurfacing of six (6) Tennis Courts, three (3) Basketball Courts, and spot repairs on eight (8) other courts. The repairs will be completed in two (2) months. The maintenance contract will obligate \$49,927 of the remaining \$85,381 of 2014 Structural Repairs funding. The funding source for all structural repairs work is the 2014 General Fund {\$301,000.}.
- (Affordable Health Care Act Changes for 2015 (information only)
- (Review and Approval of BCBS renewal and plan design changes
- (Approval to authorize the Mayor to execute the Agreement of Purchase and Sale between the City of Charleston and Emad Hammad and Neda Burghol for the sale of 8 Cedar Street for \$65,000. This property is being sold subject to the HOME Investment Partnerships Program Resale Restrictive Covenants with an affordability period of 20 years. (TMS# 461-13-03-030) [Ordinance]
- (Discussion of Contract for Purchase and Sale of 645 Meeting Street (Trolley Barn)
- (Consider the following annexations:
- i.) 711 Savage Road (TMS# 310-03-00-061) 3.17 acres, West Ashley (District 7)
 - ii.) 3130 Maybank Highway (TMS# 313-00-00-022) 0.34 acre, Johns Island (District 5)
 - iii.) Clements Ferry Road and Heidie Lane (TMS# 267-00-00-004, 267-00-00-010, 267-00-00-050, 267-00-00-051, 267-00-00-052, 267-00-00-053, 267-00-00-054, 267-00-00-055, 267-00-00-056, 267-00-00-057, 267-00-00-069, 267-00-00-071), 30.23 acres, Cainhoy (District 1)

- iv.) Main Road (TMS# 280-00-00-077, 280-00-00-296 and 280-00-00-297) 20.62 acres, 20.62 acres, Johns Island (District 5)

Give first reading to the following bills and resolutions coming from Ways & Means:

An ordinance to authorize the Mayor to execute the necessary documents to enter into that certain Agreement of Purchase and Sale between the City of Charleston and Emad Hammad and Neda Burghol for the sale of 8 Cedar Street earring TMS #461-13-03-030 located in the City and County of Charleston, State of South Carolina for the sum of \$65,000.00 and to execute the necessary documents to effectuate said sale, said Agreement of Purchase and Sale being marked as Exhibit I, attached hereto and incorporated by reference herein.

An ordinance to provide for the annexation of property known as 711 Savage Road (3.17 acres) (TMS # 310-03-00-061), West Ashley, Charleston County, to the City of Charleston and includes all public rights-of-way, shown within the area annexed upon a map attached hereto and make it part of District 7.

An ordinance to provide for the annexation of property known as 3130 Maybank Highway (0.34 acre) (TMS # 313-00-00-022), Johns Island, Charleston County, to the City of Charleston and includes all public rights-of-way, shown within the area annexed upon a map attached hereto and make it part of District 5.

An ordinance to provide for the annexation of property known as Clements Ferry Road and Heidie Lane (30.23 acres) (TMS # 267-00-00-004, 267-00-00-010, 267-00-00-050, 267-00-00-051, 267-00-00-052, 267-00-00-053, 267-00-00-054, 267-00-00-055, 267-00-00-56, 267-00-00-057, 267-00-00-069, and 267-00-00-071), Cainhoy, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 1.

An ordinance to provide for the annexation of property known as Main Road (20.62 acres) (TMS # 280-00-00-077; 280-00-00-296 and 280-00-00-297), Johns Island, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 5.

K. Bills up for Second Reading:

1. *An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by adding to Article 9 thereof a new part 6 providing for a temporary moratorium until September 22, 2015 on the processing of development applications and issuing of permits for new businesses that intend to allow on-premise consumption of beer, wine or alcohol between the hours of midnight and 6 a.m. and are located within the shaded area on the map entitled "Late Night Bar Moratorium Area", attached. (AS AMENDED ON SEPTEMBER 23, 2014)*

2. *An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) to add a definition of "Peninsula" to Section 54-120 and amend off-street parking requirements in Section 54-317 to extend parking requirements that currently only apply to the Peninsula below Mount Pleasant Street to all areas of the Peninsula.*
3. *An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that property on Clements Ferry Road (Cainhoy) (63.41 acres) (TMS #275-00-00-007) (Council District 1), be rezoned from Conservation (C) classification to Rural Residential (RR-1) classification.*
4. *An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 1852 Greenmore Drive (West Ashley) (0.33 acre) (TMS #351-03-00-053) (Council District 7), annexed into the City of Charleston August 19, 2014 (#2014-111), be zoned Single-Family Residential (SR-1) classification.*
5. *An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 1770 Southwick Drive (Johns Island) (0.40 acre) (TMS #279-00-00-022) (Council District 5), annexed into the City of Charleston August 19, 2014 (#2014-112), be zoned Single-Family Residential (SR-1) classification.*
6. *An ordinance to amend Chapter 19, Section 123 of the Code of the City of Charleston to extend the existing boundaries of the King Street Bicycle Rack Parking Program from Calhoun Street to Spring Street, to the section of King Street from Spring Street to Market Street.*
7. *An ordinance to amend the Code of the City of Charleston, South Carolina, Chapter 19, Section 139 to prohibit moped parking at bicycle racks consistent with State Law.*
8. *An ordinance to provide for the annexation of properties on Pinefield Drive (19.36 acres) (TMS# 271-00-01-041; 271-00-01-046, 271-00-01-048 (a portion), 271-00-01-052, 271-00-01-053, 271-00-01-054, 271-00-01-055, 271-00-01-068, 271-00-01-069, 271-00-01-070, 271-00-01-071, 271-00-01-072 and 271-00-01-109), Cainhoy, Berkeley County, to the City of Charleston and includes all marshes, public waterways, and public rights-of-way, shown within the area annexed upon a map attached hereto and make it part of District 1. (DEFERRED)*
9. *An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that properties on Pinefield Drive (Cainhoy) (19.36 acres) (TMS #271-00-01-041, 046, a portion of 048, 052, 053, 054, 055, 068, 069, 070, 071, 072 and 109) (Council District 1), be zoned Single-Family Residential (SR-6) classification. (DEFERRED)*
10. *An ordinance to provide for the annexation of property known as 1901 Savannah*

Highway, 1838 & 1844 Pebble Road (1.91 acres) (TMS# 350-05-00-072; 350-05-00-089 and 350-05-00-090), West Ashley, Charleston County, to the City of Charleston and includes all marshes, public waterways, and public rights-of-way, shown within the area annexed upon a map attached hereto and make it part of District 11. (DEFERRED)

11. *An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 1901 Savannah Hwy and 1838 and 1844 Pebble Rd (West Ashley) (1.91 acres) (TMS #350-05-00-072, 089 and 090) (Council District 11), be zoned General Business (GB) classification. (DEFERRED)*

L. Bills up for First Reading

1. *An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 711 Savage Road (West Ashley) (3.17 acres) (TMS #310-03-00-061) (Council District 7), be zoned Single-Family Residential (SR-4) classification.*
2. *An ordinance to amend the City of Charleston Century V 2010 Comprehensive Plan Update, adopted by Charleston City Council on February 22, 2011, to provide for the movement of the Urban Growth Boundary as shown on the map attached hereto and incorporated by reference herein.*
3. *An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that Main Road (Johns Island) (20.62 acres) (TMS #280-00-00-077, 280-00-00-296 and 280-00-00-297) (Council District 5), be zoned Single-Family Residential (SR-1) classification.*
4. *An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 51 Nassau Street & Meeting Street (East Side - Peninsula) (0.90 acre) (a portion of TMS# 459-09-01-012) (Council District 4), be rezoned from General Business and Diverse Residential (GB and DR-2F) classification to Mixed Used Workforce Housing (MU-2/WH) classification. (DEFERRED)*
5. *An ordinance to provide for the annexation of property known as property on SC Highway 41 aka 546 Riverbend Trail (70.37 acres) (TMS# 263-00-04-001), Cainhoy, Berkeley County, to the City of Charleston shown within the area annexed upon a map attached hereto and make it part of District 1. (DEFERRED)*

M. Miscellaneous Business:

1. The next regular meeting of City Council will be October 28, 2014 at 5:00 p.m. at City Hall, 80 Broad Street.

I(a.)



RESOLUTION

IN SUPPORT OF INCREASED DIVERSITY IN THE TECHNOLOGY INDUSTRY

- WHEREAS, jobs in science, technology, engineering and mathematics (STEM) are projected to grow by 17 percent by 2018 in the United States; and
- WHEREAS, a majority of the large technology companies, to include Facebook, Yahoo, Twitter, and Google, have acknowledged the need to make their industry more diverse; and
- WHEREAS, opening doors for women and minorities in the technology sector will help reduce the unemployment rate and create expanded opportunities in our community, region, and nation; and
- WHEREAS, the City Council of Charleston acknowledges and expresses its appreciation to Charleston's technology companies for their participation in and support of the Charleston Digital Corridor's mission of making tech industry opportunities more affordable and attainable; and
- WHEREAS, the City Council of Charleston supports and encourages the need for increased diversity in all job sectors;

NOW, THEREFORE IT BE RESOLVED, by the City Council duly assembled that:

The City Council of Charleston encourages and advocates increased diversity in the technology industry and supports the technology industry's efforts in this endeavor.

Adopted this _____ day of _____, 2014.

Joseph P. Riley, Jr., Mayor

ATTEST:

Vanessa Turner Maybank
Clerk of Council

STATE OF SOUTH CAROLINA)
COUNTY OF CHARLESTON)
CITY OF CHARLESTON)

TITLE TO REAL ESTATE

KNOW ALL MEN BY THESE PRESENTS, that Shade Tree Apartments, LLC ("Grantor") in the state aforesaid, for and in consideration of the sum of ONE AND 00/100 DOLLAR (\$1.00), being the true consideration to it in hand paid at and before the sealing of these presents by the CITY OF CHARLESTON, the receipt whereof is hereby acknowledged, has granted, bargained, sold and released, and by these presents does grant, bargain, sell and release unto the said CITY OF CHARLESTON ("Grantee"), its successors and assigns, forever, the following described property which is granted, bargained, sold and released for the use of the public forever:

All the of the property underneath, above, and containing those certain streets, roads, drives, and cul-de-sacs situate, lying and being in the City of Charleston, County of CHARLESTON, State of South Carolina, located in Shade Tree - Wildts Battery Boulevard as shown and designated on a plat entitled FINAL PLAT SHOWING THE SUBDIVISION OF TRACT 1 TMS NO. 313-00-00-085 CONTAINING 12.330 AC TO CREATE WILDTS BATTERY BOULEVARD RIGHT * prepared by HLA, Inc., dated Jun 9, 2014, revised 6/23/2014, and recorded in Plat Book _____ at Page _____ in the RMC Office for CHARLESTON County. Said property butting and bounding, measuring and containing, and having such courses and distances as are shown on said plat. Reference being had to the aforesaid plat for a full and complete description, being all of the said dimensions, a little more or a little less.

This being a portion of the property conveyed to Grantor herein by deed of the Shade Tree Partners LLC dated July 5, 2013 and recorded July 10, 2013 in Book O344 at Page 762 in the RMC Office for CHARLESTON County, South Carolina.

Grantee's Mailing Address:

City of Charleston
Department of Public Service
Engineering Division
75 Calhoun Street
Third Floor
Charleston, South Carolina 29401

TOGETHER with all and singular, the rights, members, hereditaments and appurtenances to the said premises belonging, or in anywise incident or appertaining.

TO HAVE AND TO HOLD, all and singular, the said premises before mentioned unto the CITY OF CHARLESTON, its successors and assigns forever.

*OF WAY (2.975 AC), TRACT 7 (0.187 AC), TRACT 1 (RESIDUAL 9.168 AC), AND A NEW PRIVATE ALLEY PROPERTY OF SHADE TREE APARTMENTS, LLC AND SHOWING THE SUBDIVISION OF TRACT 2 TMS NO. 313-00-00-337 CONTAINING 7.245 AC TO CREATE TRACT 3 (2.349 AC), TRACT 4 (1.294 AC), TRACT 8 (0.182 AC), AND AREA TO BE ADDED TO MAYBANK HIGHWAY RIGHT OF WAY (0.091 AC), AND TRACT 2 (RESIDUAL 3.329 AC) AND SHOWING THE SUBDIVISION OF TRACT 3 TMS NO. 313-00-00-338 CONTAINING 2.392 AC TO CREATE TRACT 5 (1.204 AC) AND TRACT 6 (1.188 AC), PROPERTY OF SHADE TREE PARTNERS LLC

AND we do hereby bind ourselves and our heirs, executors and administrators, to warrant and forever defend, all and singular, the said premises unto the said City of Charleston, heirs and assigns, against us and our heirs, and all persons whomsoever lawfully claiming, or to claim the same or any part thereof.

WITNESS our Hand(s) and Seal(s) this 19 day of August 2014.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

[Signature]
Witness Number One

RONALD A. FELKEL
Printed Name

[Signature]
Witness Number Two

Ruthie Dreher
Printed Name

Grantor
[Signature]
JAMES A SMITH
Printed Name

STATE OF SOUTH CAROLINA)
COUNTY OF CHARLESTON)

PERSONALLY APPEARED before me the undersigned witness and made oath that (s)he saw the within named Shade Tree Apartments, LLC by its duly authorized officer JAMES A SMITH, sign, seal and as its act and deed, deliver the within written Deed, and that (s)he with the other witness witnessed the execution thereof.

[Signature]

SWORN to before me this 19 day of August, 2014

R. Dreher
NOTARY PUBLIC FOR SOUTH CAROLINA

MY COMMISSION EXPIRES:



STATE OF SOUTH CAROLINA)

COUNTY OF CHARLESTON) AFFIDAVIT FOR TAXABLE OR EXEMPT TRANSFERS

PERSONALLY appeared before me the undersigned, who being duly sworn, deposes and says:

1. I have read the information on this affidavit and I understand such information.
2. The property was transferred by Shade Tree Apartments, LLC
to The City of Charleston on _____.
3. Check one of the following: The deed is
 - (A) _____ subject to the deed recording fee as a transfer for consideration paid or to be paid in money or money's worth.
 - (B) _____ subject to the deed recording fee as a transfer between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity, or is a transfer to a trust or as distribution to a trust beneficiary.
 - (C) ☒ exempt from the deed recording fee because (See Information section of affidavit): #2 (explanation required)
(If exempt, please skip items 4-7, and go to item 8 of this affidavit.)

If exempt under exemption #14 as described in the Information section of this affidavit, did the agent and principal relationship exist at the time of the original sale and was the purpose of this relationship to purchase the realty?

Check Yes _____ or No _____

4. Check one of the following if either item 3(a) or item 3(b) above has been checked. (See Information section of this affidavit):
 - (A) _____ The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of _____
 - (B) _____ The fee is computed on the fair market value of the realty which is _____
 - (C) _____ The fee is computed on the fair market value of the realty as established for property tax purposes which is _____
5. Check YES _____ or NO _____ to the following: A lien or encumbrance existed on the land, tenement, or realty before the transfer and remained on the land, tenement, or realty after the transfer. If "YES," the amount of the outstanding balance of this lien or encumbrance is _____.
6. The deed recording fee is computed as follows:
 - (A) Place the amount listed in item 4 above here: _____
 - (B) Place the amount listed in item 5 above here: _____
(If no amount is listed, place zero here.)
 - (C) Subtract Line 6(b) from Line 6(a) and place the result here: _____

7. The deed recording fee is based on the amount listed on Line 6(c) above and the deed recording fee due is _____.
8. As required by Code Section '12-24-70, I state that I am a responsible person who was connected with the transaction as Member.
9. I understand that a person required to furnish this affidavit who willfully furnishes a false or fraudulent affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year, or both.

[Signature]
Responsible Person Connected with the Transaction

James A SMITH
Print or Type Name Here

Sworn this 19 day of August 2014
K. Disher
Notary Public for South Carolina
My Commission Expires: August, 20



STATE OF SOUTH CAROLINA)
)
)
)
COUNTY OF CHARLESTON)
)
)
)

This Agreement is made and entered into this ____ day of _____ 20__ , by and between the City of Charleston, a Municipal Corporation organized and existing pursuant to the laws of the State of South Carolina (herein the "City"). and
Shade Tree Apartments, LLC (herein the "Owner").

WHEREAS, THE CITY OF CHARLESTON, is desirous of maintaining a storm water drainage ditch and appurtenances ("Storm Water System") across a portion of _____* designated by _____ Charleston County tax map number 313-00-00-085 and to accomplish this objective, the City must obtain certain four easements from the Owner permitting the maintenance of the Storm Water System through a portion of the Owner's property as hereinafter described; and

*Shade Tree Wildts Battery Boulevard

WHEREAS, the undersigned Owner of the property is desirous of cooperating with the City and is minded to grant unto it four exclusive storm water drainage easements in and to the property necessary therefor.

NOW, THEREFORE, in consideration of the foregoing and the benefits to be derived by the drainage improvements to the property, the Owner has granted, bargained, sold, released and conveyed by these present and does grant, bargain, sell, release and convey unto the City 2 **NEW EXCLUSIVE** 16 -FOOT WIDE **PERMANENT STORM DRAINAGE EASEMENTS CONTAINING .035** ACRE(S) OR 1,508 SQ. FT. more fully shown on a ~~map~~ ^{map} attached as an exhibit:

**"EXHIBIT "A" SHOWING THE 16' DRAINAGE EASEMENTS ACROSS TMS NO. 313-00-00-085
PROPERTY OF SHADE TREE APARTMENTS, LLC**

prepared by HLA, Inc., dated Jun 23, 2014,
executed by _____, on _____, and recorded in Plat Book _____ at
page _____ in the R. M. C. Office for Charleston County, South Carolina (herein the
"Plat"). A copy of said plat is attached heretofore and incorporated herein.

SAID EXCLUSIVE STORM DRAINAGE EASEMENT having such size, shape, location, and butting, and bounding as shown on said Plat. reference to which is hereby made for a more complete description.

The City shall at all times have the right of ingress and egress to the land affected by the said Exclusive 16 -Foot Wide Permanent Stormwater Drainage Easement for purposes of periodic inspection, maintenance, repair and replacement of the Stormwater System. This Exclusive 16 -Foot Wide Permanent Stormwater Drainage Easement shall be commercial in nature and shall run with the land.

The City has no obligation to repair, replace or to compensate the Owners for trees, plants, grass, shrubs or other elements damaged or destroyed within the confines of the Exclusive 16 -Foot Wide Permanent Stormwater Drainage Easements during the conduct of its allowable activities as described above.

TO HAVE AND TO HOLD, all and singular, the said before mentioned unto the said CITY OF CHARLESTON, its successors and assigns, against us and our heirs and assigns, and all persons whomsoever lawfully claiming or to claim the same or any part thereof.

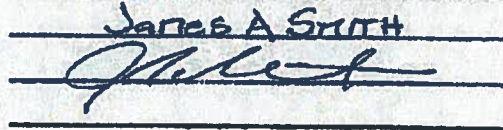
IN WITNESS WHEREOF, the parties have set the Hands and Seals the day and year above written.



Witness #1

OWNER

Name: SHADE TREE APARTMENTS, LLC

JAMES A. SMITH


Date: 08/19/2014



Witness #2

WITNESSES:

CITY OF CHARLESTON

Witness #1

Witness #2

By: Laura S. Cabiness, P.E.

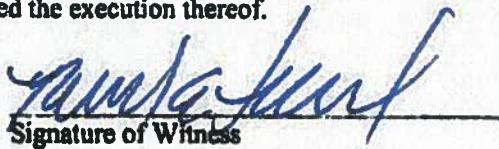
Its: Director of Public Service

Date: _____


STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

PROBATE

PERSONALLY appeared before me the above named witness, who, on oath, says that (s)he saw the within named James A Smith sign, on behalf of Shade Tree Apartments, LLC, the within Exclusive Permanent Stormwater Drainage Easements, and seal said Exclusive Permanent Stormwater Drainage Easements, and as its act and deed, deliver the same, and that (s)he with the other witness named, witnessed the execution thereof.


Signature of Witness

SWORN to before me this
19 day of August, 2014.


Notary Public for South Carolina
My Commission Expires: _____

RUTHIE DREHER
Notary Public, South Carolina
My Commission Expires
January 23, 2023

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

PROBATE

PERSONALLY appeared before me the above named witness, who, on oath, says that (s)he saw the within named _____ sign, on behalf of _____, the within Exclusive Permanent Stormwater Drainage Easements, and seal said Exclusive Permanent Stormwater Drainage Easements, and as its act and deed, deliver the same, and that (s)he with the other witness named, witnessed the execution thereof.

Signature of Witness

SWORN to before me this _____ day of _____, 20__.

Notary Public for South Carolina
My Commission Expires: _____

1. NAME _____
 2. DATE _____
 3. TIME _____
 4. LOCATION _____
 5. REASON _____
 6. WITNESSES _____
 7. REPORT _____
 8. REMARKS _____
 9. SIGNATURE _____
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 222. WITNESSES _____
 223. REPORT

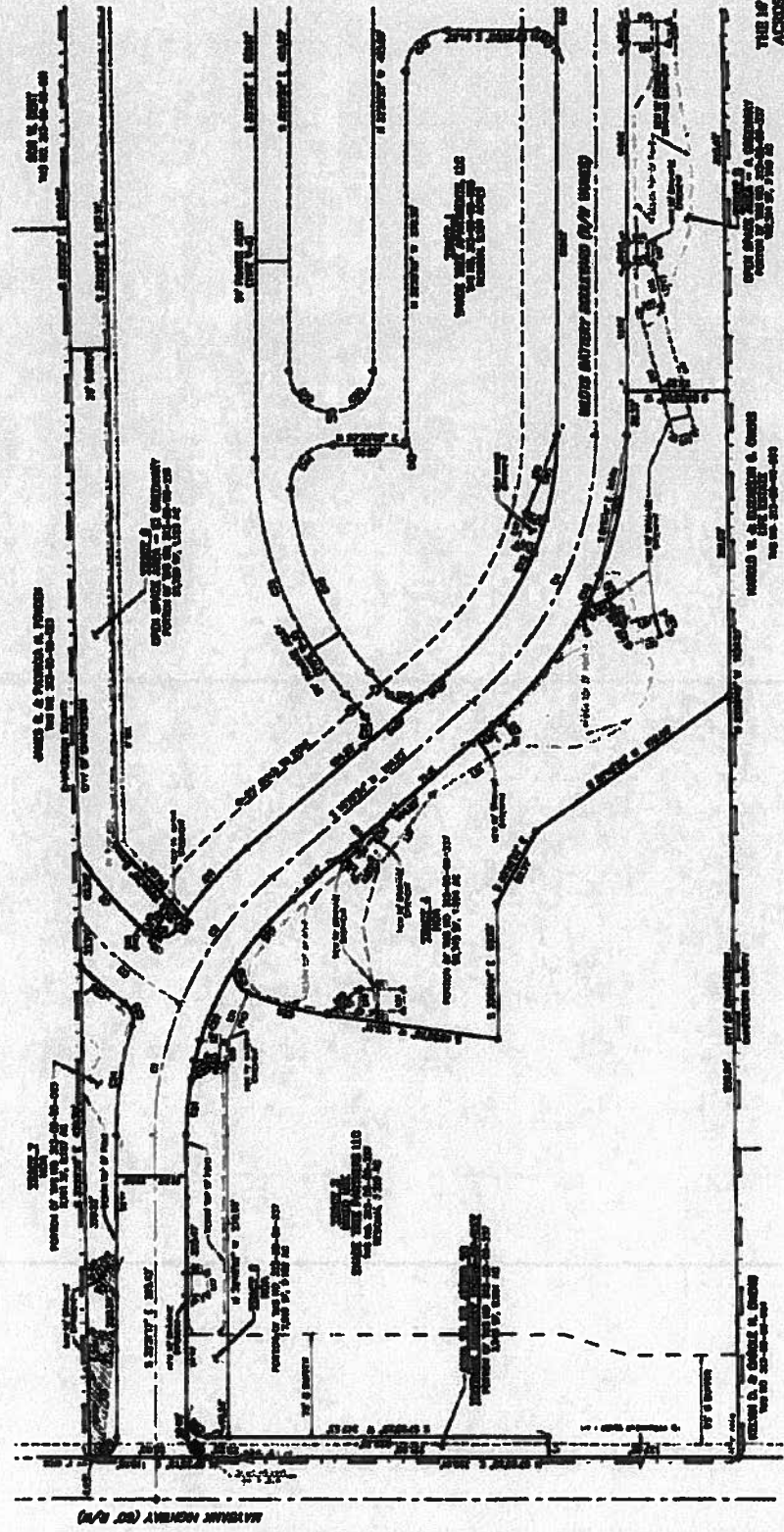
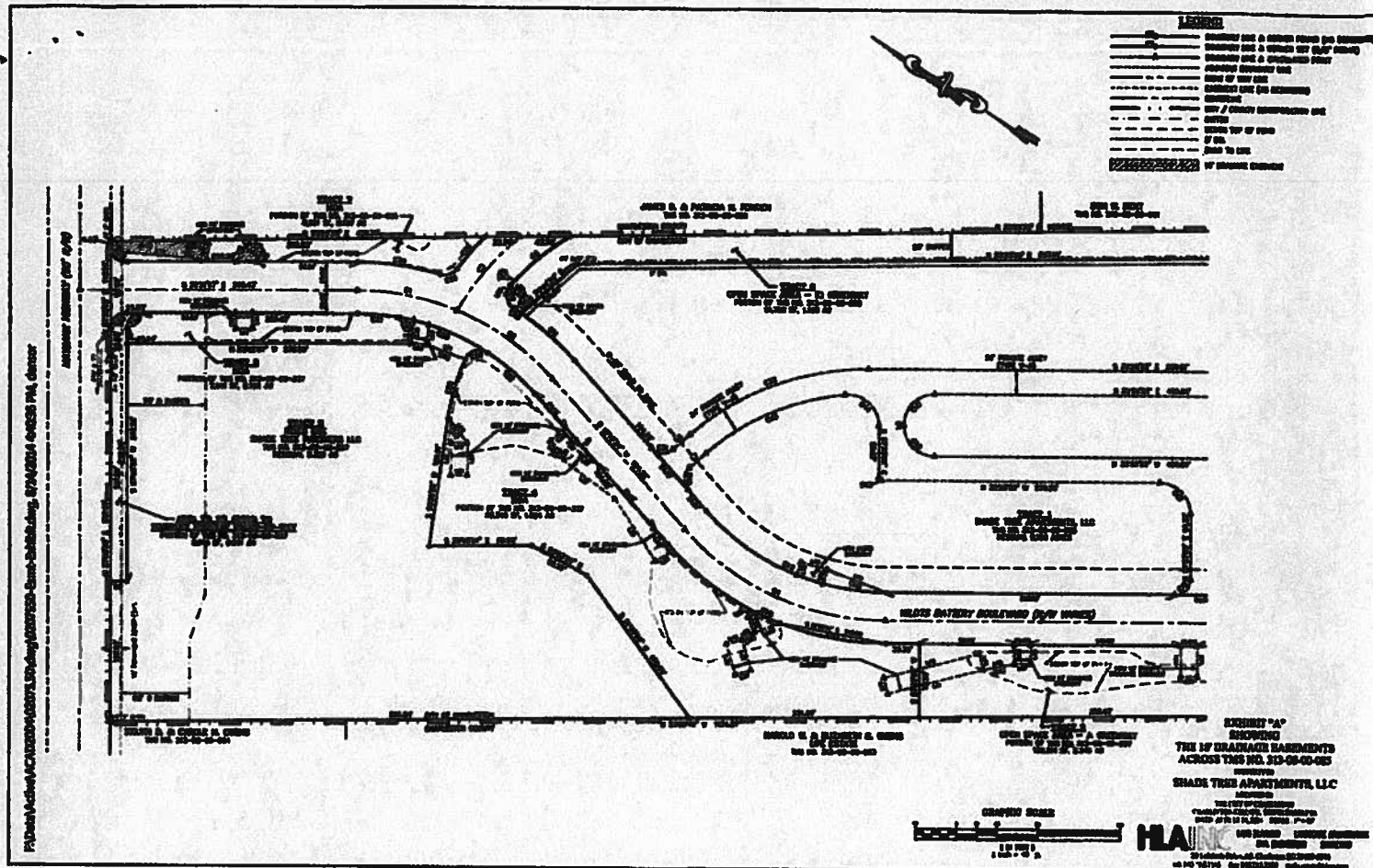


EXHIBIT "A"
SHOWING
THE 14 DRAINAGE BASEMENTS
ACROSS THE NO. 21-08-00-003
SECTION
SHADE TREE APARTMENTS, LLC

REPORTS



FLAIR
 1-800-451-1111
 1-800-451-1111
 1-800-451-1111



✓

STATE OF SOUTH CAROLINA)	EXCLUSIVE STORM
)	WATER DRAINAGE
)	EASEMENTS
COUNTY OF CHARLESTON)	CITY OF CHARLESTON

This Agreement is made and entered into this ____ day of _____ 20__ , by and between the City of Charleston, a Municipal Corporation organized and existing pursuant to the laws of the State of South Carolina (herein the "City"), and
Shade Tree Partners LLC (herein the "Owner").

WHEREAS, THE CITY OF CHARLESTON, is desirous of maintaining a storm water drainage ditch and appurtenances ("Storm Water System") across a portion of _____ * _____ designated by Charleston County tax map number 313-00-00-337 and to accomplish this objective, the City must obtain certain four easements from the Owner permitting the maintenance of the Storm Water System through a portion of the Owner's property as hereinafter described; and
*Shade Tree Wildts Battery Boulevard

WHEREAS, the undersigned Owner of the property is desirous of cooperating with the City and is minded to grant unto it four exclusive storm water drainage easements in and to the property necessary therefor.

NOW, THEREFORE, in consideration of the foregoing and the benefits to be derived by the drainage improvements to the property, the Owner has granted, bargained, sold, released and conveyed by these present and does grant, bargain, sell, release and convey unto the City 12 NEW EXCLUSIVE 16 -FOOT WIDE PERMANENT STORM DRAINAGE EASEMENTS CONTAINING .167 ACRE(S) OR 7,278 SQ. FT. more fully shown on ~~KPLAK~~ ~~marked~~ an exhibit:

"EXHIBIT "B" SHOWING THE 16' DRAINAGE EASEMENTS ACROSS TMS NO. 313-00-00-337
PROPERTY OF SHADE TREE APARTMENTS, PARTNERS LLC

prepared by HLA, Inc., dated Jun 23, 2014,
executed by _____, on _____, and recorded in Plat Book _____ at
page _____ in the R. M. C. Office for Charleston County, South Carolina (herein the
"Plat"). A copy of said plat is attached heretofore and incorporated herein.

SAID EXCLUSIVE STORM DRAINAGE EASEMENT having such size, shape, location, and butting, and bounding as shown on said Plat, reference to which is hereby made for a more complete description.

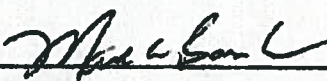
The City shall at all times have the right of ingress and egress to the land affected by the said Exclusive 16 -Foot Wide Permanent Stormwater Drainage Easement for purposes of periodic inspection, maintenance, repair and replacement of the Stormwater System. This Exclusive 16 -Foot Wide Permanent Stormwater Drainage Easement shall be commercial in nature and shall run with the land.

The City has no obligation to repair, replace or to compensate the Owners for trees, plants, grass, shrubs or other elements damaged or destroyed within the confines of the Exclusive 16 -Foot Wide Permanent Stormwater Drainage Easements during the conduct of its allowable activities as described above.

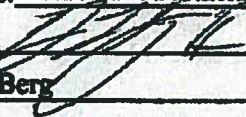
TO HAVE AND TO HOLD, all and singular, the said before mentioned unto the said CITY OF CHARLESTON, its successors and assigns, against us and our heirs and assigns, and all persons whomsoever lawfully claiming or to claim the same or any part thereof.

IN WITNESS WHEREOF, the parties have set the Hands and Seals the day and year above written.


Witness #1


Witness #2

OWNER

Name: Shade Tree Partners LLC
X 
Don Berg

Date: 08/25/14

WITNESSES:

Witness #1

Witness #2

CITY OF CHARLESTON

By: Laura S. Cabiness, P.E.
Its: Director of Public Service
Date: _____

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

PROBATE

PERSONALLY appeared before me the above named witness, who, on oath, says that (s)he saw the within named Don Berg sign, on behalf of Shade Tree Partners LLC, the within Exclusive Permanent Stormwater Drainage Easements, and seal said Exclusive Permanent Stormwater Drainage Easements, and as its act and deed, deliver the same, and that (s)he with the other witness named, witnessed the execution thereof.

Michael Bach
Signature of Witness

SWORN to before me this
25 day of Aug, 2014.

Adrian Ruiz
Notary Public for ~~South Carolina~~ Florida
My Commission Expires: 5-14-2018



The foregoing document was
acknowledged before me
this 25 day of Aug, 2014
by Donald Loren Berg
ID produced Florida Driver License

B620-192-53-081-0
Exp-3-1-2021

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

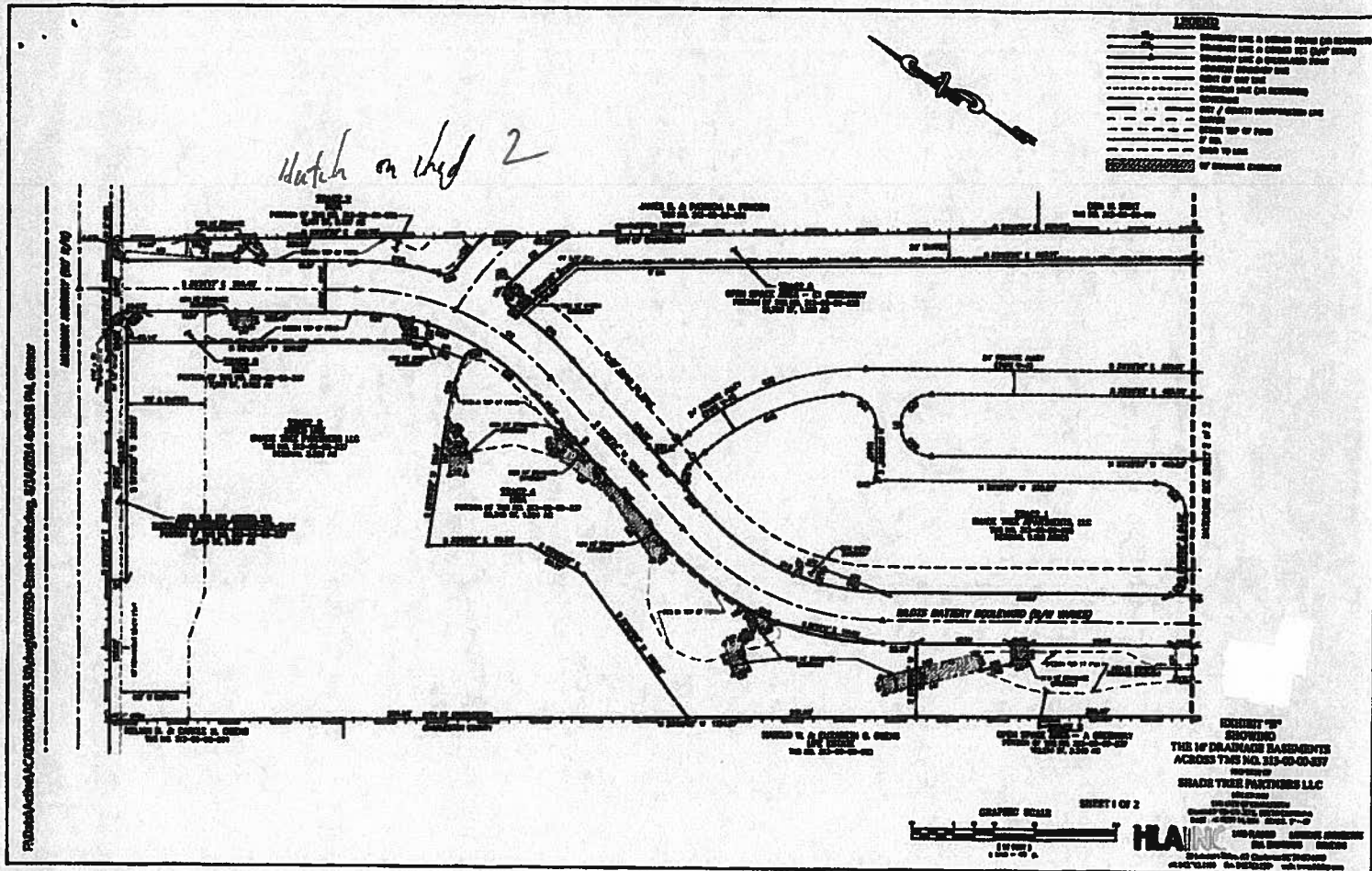
PROBATE

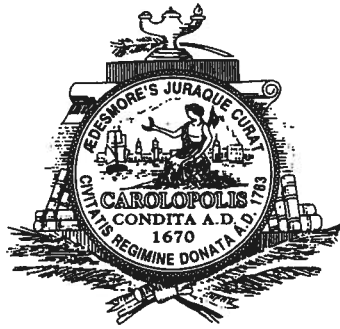
PERSONALLY appeared before me the above named witness, who, on oath, says that (s)he saw the within named _____ sign, on behalf of _____, the within Exclusive Permanent Stormwater Drainage Easements, and seal said Exclusive Permanent Stormwater Drainage Easements, and as its act and deed, deliver the same, and that (s)he with the other witness named, witnessed the execution thereof.

Signature of Witness

SWORN to before me this
_____ day of _____, 20____.

Notary Public for South Carolina
My Commission Expires: _____





K1
Ratification
Number _____

AN ORDINANCE

TO AMEND CHAPTER 54 OF THE CODE OF THE CITY OF CHARLESTON (ZONING ORDINANCE) BY ADDING TO ARTICLE 9 THEREOF A NEW PART 6 PROVIDING FOR A TEMPORARY MORATORIUM UNTIL SEPTEMBER 22, 2015 ON THE PROCESSING OF DEVELOPMENT APPLICATIONS AND ISSUING OF PERMITS FOR NEW BUSINESSES THAT INTEND TO ALLOW ON-PREMISE CONSUMPTION OF BEER, WINE OR ALCOHOL BETWEEN THE HOURS OF MIDNIGHT AND 6 A.M. AND ARE LOCATED WITHIN THE SHADED AREA ON THE MAP ENTITLED "LATE NIGHT BAR MORATORIUM AREA", ATTACHED. (AS AMENDED ON SEPTEMBER 23, 2014)

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1. Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by adding to Article 9 thereof a new Part 6 providing for a temporary moratorium on the processing of development applications and issuing of permits for new businesses that intend to allow on-premise consumption of beer, wine or alcohol between the hours of midnight and 6 a.m. that are located within the shaded area on the map entitled "Late Night Bar Moratorium Area", attached, which Part 6 shall read as follows:

"Part 6: Temporary Moratorium

Sec. 54-970 Findings.

City Council makes the following findings of fact:

The commercial corridors of King, East Bay and Market Streets are, and have been, the primary centers of retail and commercial activity on the peninsula. City Council has worked diligently to assure the success of these corridors by commissioning and implementing studies and making significant investments in infrastructure improvements such as undergrounding utility lines, repaving rights-of-way, installing or restoring curbs and sidewalks, planting trees and installing drainage facilities, all to make these corridors attractive places to visit, conduct business and recreate.

These efforts of Council have produced tremendously positive results. Today these corridors are vibrant, vacancy rates are low and more and more businesses seek to locate or relocate on or near these corridors. Charleston recently being voted the number one tourist destination in the world by Conde Nast underscores the attraction of the peninsula on a national and international level. A major draw of these peninsula corridors is the variety of experiences they offer. The varied antique shops, jewelry shops, apparel stores, restaurants, hotels, bars, parks, civic uses and the viable neighborhoods along or near these corridors are unique to Charleston, make them interesting places to be and are directly related to their success.

City Council is mindful that, to preserve this level of interest and success, it is vital that a balance of uses along the corridors be maintained, between residential and commercial, and among commercial uses themselves. It is critical that these primary commercial corridors of the peninsula remain desirable destinations for residents and visitors at all times of the business day and into the evening hours. A predominance of one type of use or business will discourage the diversity that has made these corridors successful. It is also critical that the types of businesses and manners in which they are operated be respectful to the nearby residential neighborhoods.

Over the past five years, the number of stand-alone establishments serving beer, wine or alcohol after midnight for on-premises consumption on the King, East Bay and Market corridors has greatly expanded. This expansion has improved the tax base and accommodated the creation of a vibrant night life. By the same token, this expansion has caused an increase in noise during and beyond hours of operation, an increase in litter and other debris along the sidewalks, an increase in the number of police officers required to maintain the peace, good order and quality of life for nearby residents, and significantly, threatens to dominate the identity of the corridors as simply places to party. The continued unbridled proliferation or concentration of this use along the King, East Bay and Market corridors will change the ambiance of these corridors, diminish their diversity and vibrancy and stifle their use during day time hours, results that are detrimental to the interests and welfare of the public and results which can be mitigated, if not avoided, with proper time for evaluation and study.

City Council deems it necessary and proper, in order to sustain the peace, good order and success of the peninsula as a desirable place to live, work and visit, and in furtherance of the powers of home rule devolved upon it by S. C. Code Ann. §5-7- 10 *et seq* and the land use, planning and zoning authority devolved upon it by S. C. Code Ann. § 6-29-310 *et seq* (South Carolina Local Government Comprehensive Planning Act) to enact a temporary moratorium, until September 22, 2015, on processing development applications and issuing permits for new stand-alone businesses that intend to allow on-premise consumption of beer, wine or alcohol between the hours of

midnight and 6:00 a.m. that are located within the shaded area delineated on the map entitled "Late Night Bar Moratorium Area", attached.

Sec. 54-971. Temporary Moratorium.

A temporary moratorium until September 22, 2015 is hereby imposed on the processing of development applications and issuing permits for new businesses that intend to allow on-premise consumption of beer, wine or alcohol between the hours of midnight and 6 a.m. that are located within the shaded area delineated on the map entitled "Late Night Bar Moratorium Area", attached hereto and made a part hereof.

Sec. 54-972. Purpose, Study and Interim Reports.

The purpose of the temporary moratorium is to allow the Department of Planning, Preservation and Sustainability, in consultation with other City departments and businesses and community stakeholders, sufficient time to study the areas subject to the moratorium, to include existing uses, uses known to be coming on line, development and demographic trends and such other data and information as it deems appropriate to enable it to formulate for City Council consideration recommendations regarding the reasonable regulation of businesses allowing on-premise consumption of beer, wine and alcohol between the hours of midnight and 6 a.m.

During the temporary moratorium, the Department of Planning, Preservation and Sustainability shall report to City Council every six weeks on the status of the study.

Sec. 54-972. Exemptions.

The temporary moratorium shall not apply to establishments in the study area that are permitted by law to allow on-premise consumption of beer, wine or alcohol between the hours of midnight and 6 a.m. and that are open for business as of the date of ratification of this ordinance, to the expansion or modification of any such establishments if such extension or modification otherwise complies with the provisions of the zoning ordinance without the necessity of a variance or to any replacement establishment at the locations of such establishments. The temporary moratorium shall not apply to any location in the study area that, within three (3) years of the ratification of this ordinance, housed a duly and legally licensed business that allowed on-premise consumption of beer, wine or alcohol between the hours of midnight and six a.m. The temporary moratorium shall not apply to establishments that are now or hereafter housed within a place of accommodations that has twenty or more rooms. The temporary moratorium shall not apply to development plans or permit applications for establishments intending to allow on-premise consumption of beer, wine or alcohol between the hours of midnight and six a.m. that are on file with the Department of Planning,

Preservation and Sustainability as of September 23, 2014 and vested under statutory or common law..

Sec. 54-973. Expiration.

The provisions of this Part 6 shall expire on September 22, 2015.”

Section 2. This Ordinance shall become effective upon ratification.

Ratified in City Council this _____ day of
_____ in the Year of Our Lord, 2014,
and in the _____th Year of the Independence of
the United States of America

Joseph P. Riley, Jr., Mayor

ATTEST: _____
Clerk of Council



Late Night Bar Moratorium Area

map produced: 14 August 2014



- Moratorium Area
- Property lines
- Buildings Footprints



1 inch = 800 feet

0 200 400 800 Feet



41
Ratification
Number _____

AN ORDINANCE

TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 711 SAVAGE ROAD (WEST ASHLEY) (3.17 ACRES) (TMS #310-03-00-061) (COUNCIL DISTRICT 7), BE ZONED SINGLE-FAMILY RESIDENTIAL (SR-4) CLASSIFICATION.

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1. That the Zoning Ordinance of the City of Charleston be, and the same hereby is amended, by changing the zone map thereof so that the below described property shall become a part thereof:

711 Savage Road (West Ashley) (3.17 acres) (TMS #310-03-00-061)

Section 2. That the said parcel of land described above shall be zoned Single-Family Residential (SR-4) classification.

Section 3. This ordinance shall become effective upon ratification.

Ratified in City Council this _____ day of _____
in the Year of Our Lord,
2014, in the 239th Year of Independence of the
United States of America.

By:

Joseph P. Riley, Jr.
Mayor, City of Charleston

Attest:

Vanessa Turner-Maybank
Clerk of Council

Zoning

711 Savage Road (West Ashley)

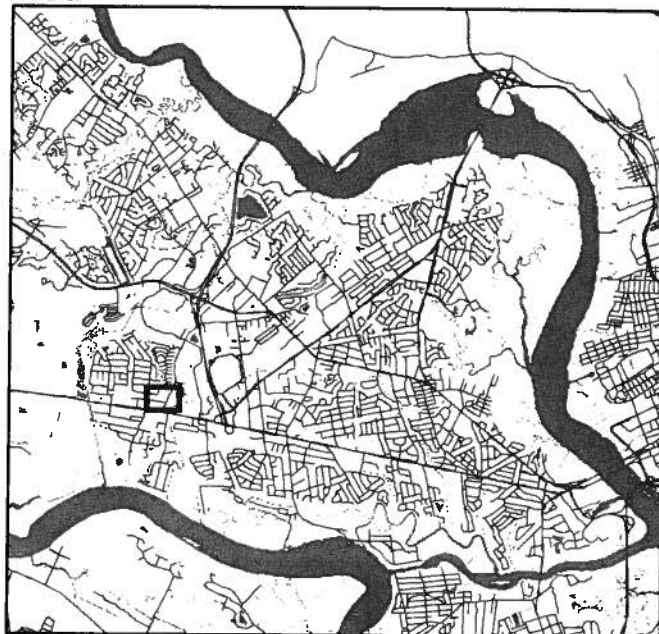
3.17 acres

TMS# 3100300061

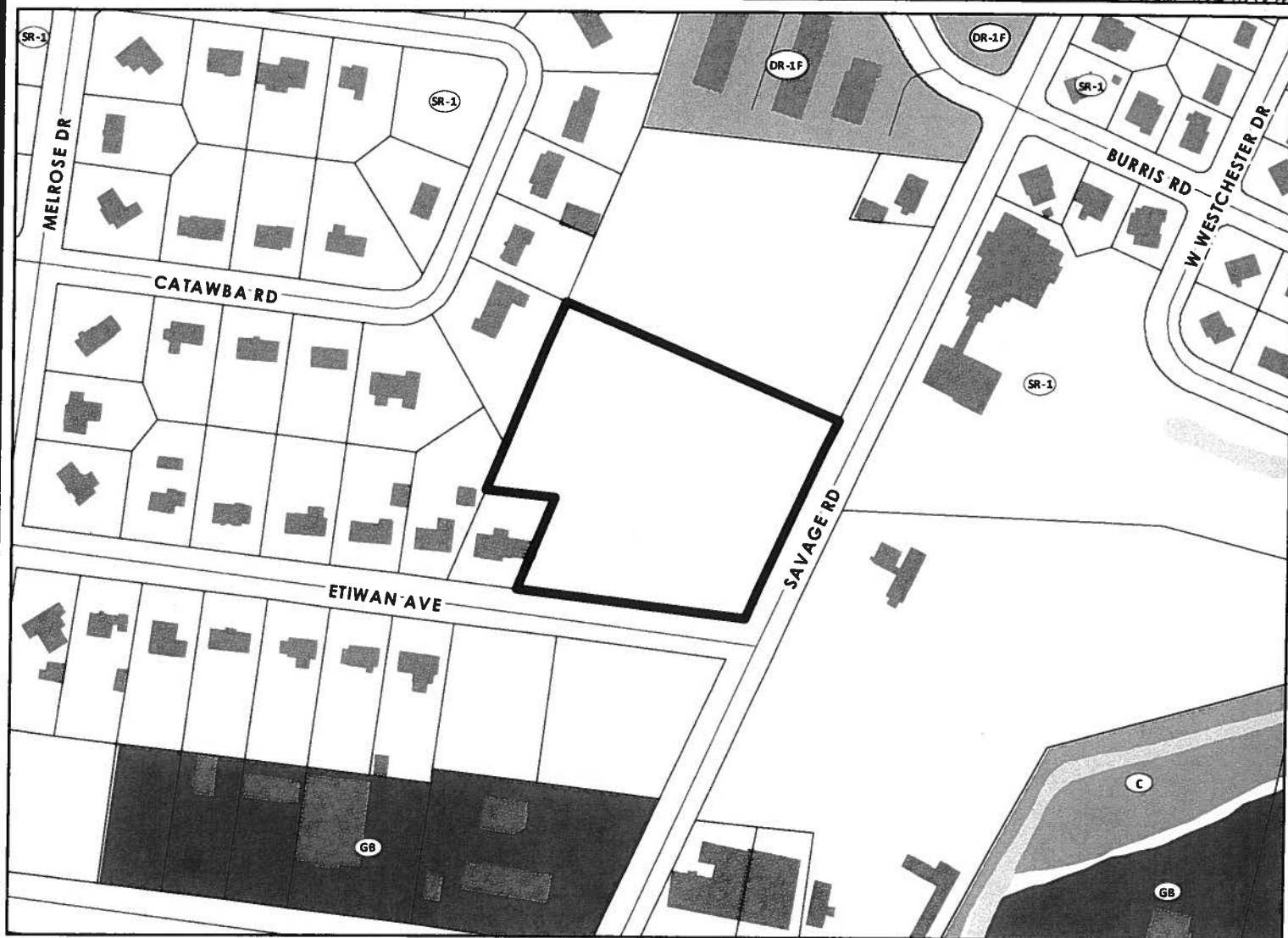
Request zoning to Single Family Residential (SR-4)

Owner: Macedonia AME Church

Area



Location





L2.

Ratification
Number _____

AN ORDINANCE

TO AMEND THE CITY OF CHARLESTON CENTURY V 2010 COMPREHENSIVE PLAN UPDATE, ADOPTED BY CHARLESTON CITY COUNCIL ON FEBRUARY 22, 2011, TO PROVIDE FOR THE MOVEMENT OF THE URBAN GROWTH BOUNDARY AS SHOWN ON THE MAP ATTACHED HERETO AND INCORPORATED BY REFERENCE HEREIN.

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1. That the City of Charleston Century V 2010 Comprehensive Plan Update be amended by moving a portion of the Urban Growth Boundary located near Main Road and Brownswood Road so as to include additional area in the urban area of the City.

Section 2. That the City of Charleston Century V 2010 Comprehensive Plan Update be amended by removing the future land use map titled "Land Use Johns Island" in the Land Use chapter, page 74, and inserting in its place the attached, amended map titled "Land Use Johns Island."

Section 3. This ordinance shall become effective upon ratification.

Ratified in City Council this _____ day of _____ in the Year of Our Lord 2014, in the 239th Year of Independence of the United States of America.

By:

Joseph P. Riley, Jr.
Mayor, City of Charleston

Attest:

Vanessa Turner-Maybank
Clerk of Council



MOVEMENT OF THE URBAN GROWTH BOUNDARY APPLICATION

CITY OF CHARLESTON

Department of Planning, Preservation & Sustainability

Zoning Division

76 Calhoun Street, Third Floor

Charleston, SC 29401

PHONE: 843.724.3781

FAX: 843.724.3772

Complete the information below and see page 2 for submittal requirements. Print application in color.

Planning Commission Meeting Date Requested:

PROPERTY DESCRIPTION

Project Name:	Dove Grove		
Property Address:	143, 145, 147 MAN ROAD, Johns Island, SC 29455		
TMS#:	280.00.00. 01, 296, 297		
County:	CHARLESTON	Geographic Location (i.e. Johns Island):	Johns Island
Acreage:	Total: 20.62	Highland: 20.62	Critical Area: FW Wetlands

Property Owner(s):			
Address (street/city/state/zip)	2761 BOHICKER ROAD JOHNS ISLAND S.C 29455		
Phone:	843.696.0519	<input type="checkbox"/> business <input type="checkbox"/> home <input checked="" type="checkbox"/> cell	
E-Mail:			

Include additional ownership information on a separate sheet of paper. If there are multiple owners and multiple parcels please identify parcel ownership.

Applicant's Name:	CHARLES M. PATTERSON
Firm's Name:	PATTERSON ENGINEERING COMPANY
Address (street/city/state/zip)	1434 AIRPORT ROAD, SUITE 103 ATLANTA, GA 30341
Phone:	770.421.7676
E-Mail:	cp@pattersoncompany.net

I hereby acknowledge by my signature below that the foregoing application is complete and accurate and that I am the owner of the subject property. I authorize the subject property to be posted and inspected and this application to be heard by the Planning Commission of the City of Charleston on the meeting date requested.

Owner Alan A. Rushford Date 9/16-2019
(original signature of the property owner(s) is required)



MOVEMENT OF THE URBAN GROWTH BOUNDARY APPLICATION

REQUIRED SUBMITTAL INFORMATION:

- ☐ Map indicating the subject property(ies), tax map number(s), address(es) and acreage(s).
- ☐ MAP indicating location of EXISTING Urban Growth Boundary (relative to subject property) and desired location of new line. The location for the change must be contiguous to existing urban development or with property for which all approvals for urban development have been granted.
- ☐ Copy of study demonstrating that one or more of the following apply:
 - a. there is an inadequate supply of land in the urban area for housing needs or employment opportunity over the next 15 years; or
 - b. the proposed uses provide a substantial benefit to the public beyond the addition of housing or employment opportunity; or
- ☐ Information indicating that the change would not have a significant adverse impact on adjacent agricultural, historic, or cultural resources.
- ☐ A narrative that describes how this proposed change:
 - Extols the benefits of nature in proximity to human settlement
 - Promotes health needs and recreational uses, as well as the needs of watersheds and woodlands
 - Fits into an understanding of the regional context
 - Minimizes the presence of suburban sprawl within the urban boundary
 - Creates a better "geographic" boundary derived from topography, watersheds, coastlines, farmlands regional parks, and/or river basins
 - Helps create new development with an "identifiable center and edge"
 - Helps create a better relationship of development to its agrarian hinterland and natural landscapes
 - Makes for a development pattern that does not blur or eradicate the edges of the urbanized area
 - Helps promote infill development within existing urban areas

MOVEMENT OF THE URBAN GROWTH BOUNDARY PROCESS

The approval process usually takes three to four months to complete

1. **PRE-APPLICATION REVIEW** - Meet with City staff to receive comments on the proposed growth boundary move.
2. **PLANNING COMMISSION** - Submit completed application, fee and other materials noted above to the Zoning Division by 12:00 pm on the deadline date to be placed on the Planning Commission agenda. Incomplete submittals will be NOT be placed on the Planning Commission agenda. The Planning Commission will hold a public hearing and make a recommendation to City Council for approval, approval with conditions, disapproval or deferral.
3. **CITY COUNCIL** - After the Planning Commission makes its recommendation, the application will be forwarded to City Council where another public hearing will be held approximately one month later. City Council will then give the application first reading and make a decision to approve or disapprove the requested growth boundary move. Approvals require a subsequent second and third reading, typically at the next scheduled Council meeting, before the growth boundary move is ratified.

FOR OFFICE USE ONLY:

Application Received

Date 9/18/14 Time 10:00am Fee _____ Receipt _____ Staff PAO

Planning Commission recommendation:

The Planning Commission heard this application and its recommendation to City Council is as follows:

☐ Approval ☐ Approval with Conditions ☐ Disapproval ☐ Deferral

Comments: _____

_____ Date _____

Planning Commission Chair or Zoning Official

APPLICATION: JOIN CITY OF CHARLESTON

For more information, visit <http://www.charleston-sc.gov/join>
Or contact Christopher Morgan at 843.724.3789 | annex@charleston-sc.gov
See "Join Charleston" on Facebook and YouTube.

1. OWNER INFORMATION: Please complete the following application to request that your property be incorporated into the municipal limits of the City of Charleston. Phone numbers will not be published. All owners of the property sign page two and submit it to the Annexation Coordinator. *Required

Property Owner(s): ALLAN A RASHFORD

Mailing Address: 2049 SAVANNAH Telephone: _____

City: CHARLESTON State: SC Zip: 294 Email: allanrashford@comcast.net

2. PROPERTY INFORMATION: Cities must provide the Justice Department with the population demographics and the land use of each property added to the city. Write "None" if the property is vacant. Population data is used to create voting districts and does not impact the decision to approve your annexation.

Property Address: Main Rd Tax Map Number: 280-00-00-077, 296

Number of Current Residents: 0 Race of Current Residents: NA + 297

Current Land use: vacant Future Land use: residential
(i.e. home, bank, carwash, etc) (i.e. home, bank, carwash, etc)

3. SUBMIT APPLICATION: Please submit signed application to Christopher Morgan at:

MAIL: City of Charleston 75 Calhoun Street, 3rd Fl, Charleston, SC 29401

PICKUP: Call Christopher Morgan at (843) 724-3789 for pick-up

EMAIL: annex@charleston-sc.gov

FAX: (843) 724-3772



STATE OF SOUTH CAROLINA)
COUNTY OF CHARLESTON)

PETITION FOR ANNEXATION

TO THE HONORABLE MAYOR AND CITY COUNCIL OF CHARLESTON

WHEREAS, SECTION 5-3-150 (3) Code of laws of South Carolina provides for the annexation of an area or property which is contiguous to a City by filing with the municipal governing body a petition signed by all persons owning real estate in the area requesting annexation, and

WHEREAS, the undersigned are all persons owning real estate in the area requesting annexation, and

WHEREAS, the area requesting annexation is described as follows, to wit:

SAID PROPERTY, located on Johns Island (approximately 20.62 acres) to be annexed is identified by the Charleston County Assessors Office as Property Identification Number: TMS# 280-00-00-077, 280-00-00-296, 280-00-00-297
(Address: Property located on Main Rd).

NOW, THEREFORE, the undersigned petition the City Council of Charleston to annex the above described area into the municipal limits of the City of Charleston.

Dated this 3rd day of
October, 2014

FREEHOLDERS (OWNERS) SIGNED

Allan A Rashford
(Signature)

ALLAN A RASHFORD
(Print Name)

DATE OF SIGNATURE

10-3-2014
(Date)

(Signature)

(Print Name)

(Date)

Project Narrative

Land Parcels TMS # 280-00-00-077, 296 & 297

Main Road (S-10-20) Charleston County / John's Island

The project area contains approximately 20.6 acres and is located on the East side on Main Road ½ mile north of Maybank Highway. The proposed development will contain 50 residential lots, reserved green space, and a 3 acre tract for future development as a Church/ Sanctuary. The project requires annexation into the City of Charleston and subsequent rezoning to the city's SR-1 category. The proposed lots will be a minimum of 10,000 sf each with a typical frontage of 70'. Through use of Rain Gardens, reduction of curb and gutter where feasible, and reduction of underground storm piping -Design parameters will include strategies of Light Imprint Urbanism.

Extols the benefits of nature in proximity to human settlement.

"Humans suffer a variety of negative social effects when living in barren landscapes. Frances Kuo and her colleagues have shown that these effects include decreased civility, less supervision of children outdoors, more illegal activity, more aggression, more property crime, more loitering, more graffiti and more litter."

"In another 2001 study, Kuo looked at two years of crime statistics in relation to specific addresses in the Ida B. Wells public housing facility in Chicago. After controlling for other factors, the researchers found that crime rates were highest for residences with little or no proximity to nature. Identical units with views of grass and trees were associated with significantly less crime."

"Elderly adults tend to live longer if their homes are near a park or other green space, regardless of their social or economic status. College students do better on cognitive tests when their dorm windows view natural settings. Children with ADHD have fewer symptoms after outdoor activities in lush environments. Residents of public housing complexes report better family interactions when they live near trees." 1. Frances Kuo, a professor of natural resources and environmental science and psychology at the University of Illinois. American Association for the Advancement of Science in Chicago on Feb. 13

Promotes health needs and recreational uses, as well as the needs of the watersheds and woodlands.

The property is located just to the Northeast of the flood plain of a tributary of Church Creek. All of the land contained within the parcels is high ground. The proposed development does not require the fill of any low areas for construction. Because the property is at higher elevations, storm water management facilities and water quality facilities can be introduced to the property. Buffer zones between new residential units and existing subdivisions will provide additional protection to surrounding developed areas.

Minimizes the presence of suburban sprawl within the boundary.

Movement of the urban growth boundary and subsequent zoning to a density of approximately 3 units per acre is a natural extension of existing surrounding development. Along Main Street, within a ¼ mile to the south is one of John's Island's retail nodes. To the north is St John's High School – less than 1500 feet to the campus. Main Road is a vehicular corridors leading to the John Limehouse Bridge off the island of the island and to U.S. Highway 17. Adjacent and to the south is the Island Estate subdivision. Island Estate is a subdivision consisting of 50 ft wide lots. Parallel to Maybank Highway and generally south of State Rd 10 and extending from Main Road to River Road is the majority of new residential development

on John's Island. These parcels are contained within that corridor. Sanitary Sewer is available, directly across Main Road from the parcels.

Movement of the urban growth boundary line is proposed as an approximate 720 ft shift to the Northwest. As a result the line will extend off the NW corner of the Island Estates Subdivision to Main Road and the Clark Hills Subdivision to the West. 50 +/- acres to the Northwest is owned by the Episcopal Church and carries an Agricultural Land Use.

Helps create new development with an "identifiable center and edge"

The Urban Growth Boundary generally parallels Maybank Highway on both the north and south sides from River Road to Main Road. Movement of the Urban Growth Boundary will straighten the line from Island Estates Subdivision and Main Road.

Helps create a better relationship of development to its agrarian hinterland and natural landscapes.

The County of Charleston recognizes this parcel as suburban (RR-3) in its comprehensive land use plan. The County Plan recognizes the next parcel to the north is designated for Agricultural uses. Movement of the Urban Growth Boundary Line will have the two lines running concurrently, with the same designations on each side of the line.

Makes for a development pattern that does not blur or eradicate the edge of the urbanized area.

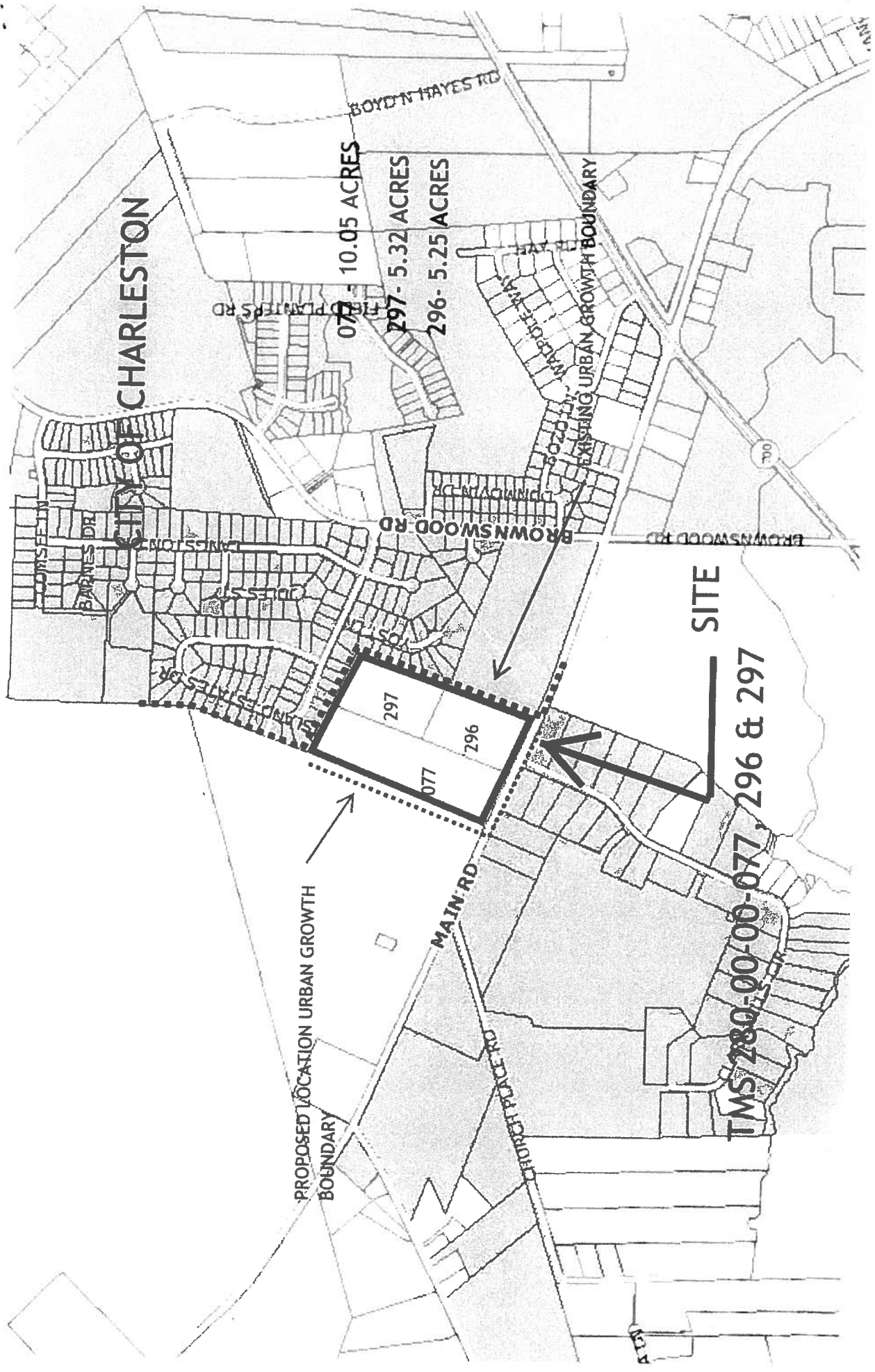
Currently the line follows the Island Estates Subdivision southwestward before turning southward and inward around the subject parcel, then proceeding northwestward back around the Clark Hills subdivision. Movement of the line will bring more clarity to the boundary and a hard edge to the limits at Main Road. The City of Charleston Comprehensive Land Use Plan identifies the three planned urban nodes/gathering places to become centers for commerce and mixed use development and shows the walking radii from the center of those locations. This parcel is located within ½ mile of the retail node at Main Road and Maybank Highway. This map identifies the three planned urban nodes/gathering places to become centers for commerce and mixed use development and shows the walking radii from the center of those nodes. This information identifies where connectivity should be enhanced in order to link neighborhoods to urban nodes.

Helps promote infill development within existing urban areas.

Resultant development will in fact be an infill subdivision between the Island Estates Subdivision and the Clark Hills Subdivision.

Information indicating that the change would not have a significant adverse impact on adjacent agricultural, historic or cultural resources.

With respect to agricultural uses. As a 20 acre parcel it is unlikely that this parcel will be used for any commercial agricultural purposes. Further. The adjacent parcel located to the north is owned by the Episcopal Church. There is not a historic resource located immediately adjacent to this parcel. Angel Oak Park is ¾ of a mile to the southwest.



CITY OF CHARLESTON

077 - 10.05 ACRES
297 - 5.32 ACRES
296 - 5.25 ACRES

SITE

TMS 280-00-00-077, 296 & 297

PROPOSED LOCATION URBAN GROWTH BOUNDARY

EXISTING URBAN GROWTH BOUNDARY

TMS #280-00-00-078
ST. JOHNS EPISCOPAL CHURCH

TMS #280-00-00-077
20.62 AC. TOTAL

LOT 1
10.05 AC.

LOT 2
5.25 AC.

LOT 3
5.32 AC.

20' STRIP LABELLED AS "TRACT K" ON THE REFERENCE PLAT BY HENRY B. FISHBURN WAS CONVEYED TO CURRENT OWNER BY A DEED RECORDED IN DEED BOOK D400 PG 317

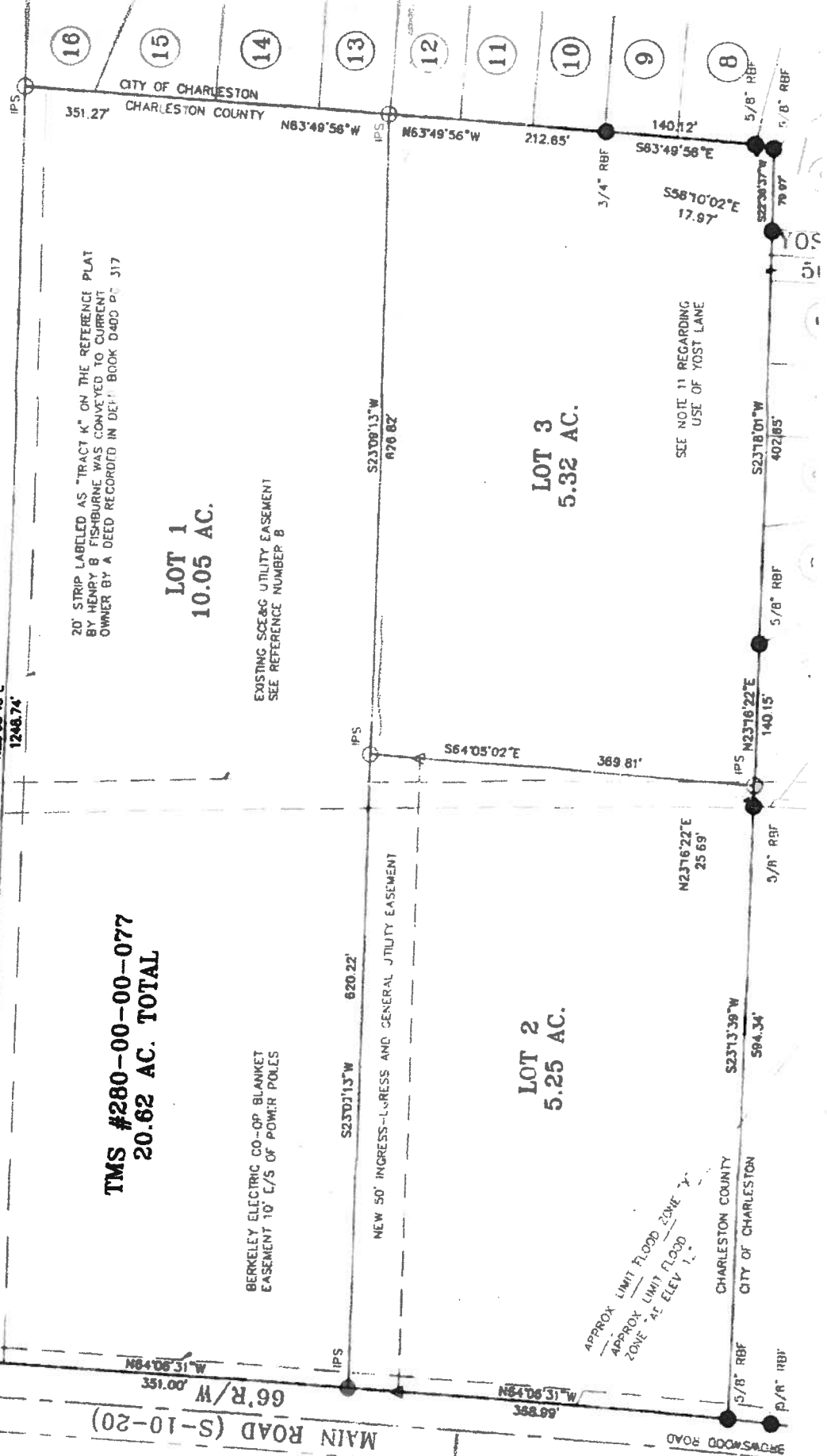
EXISTING SCE&G UTILITY EASEMENT
 SEE REFERENCE NUMBER 8

BERKELEY ELECTRIC CO.-OP BLANKET
 EASEMENT 10' C/S OF POWER POLES

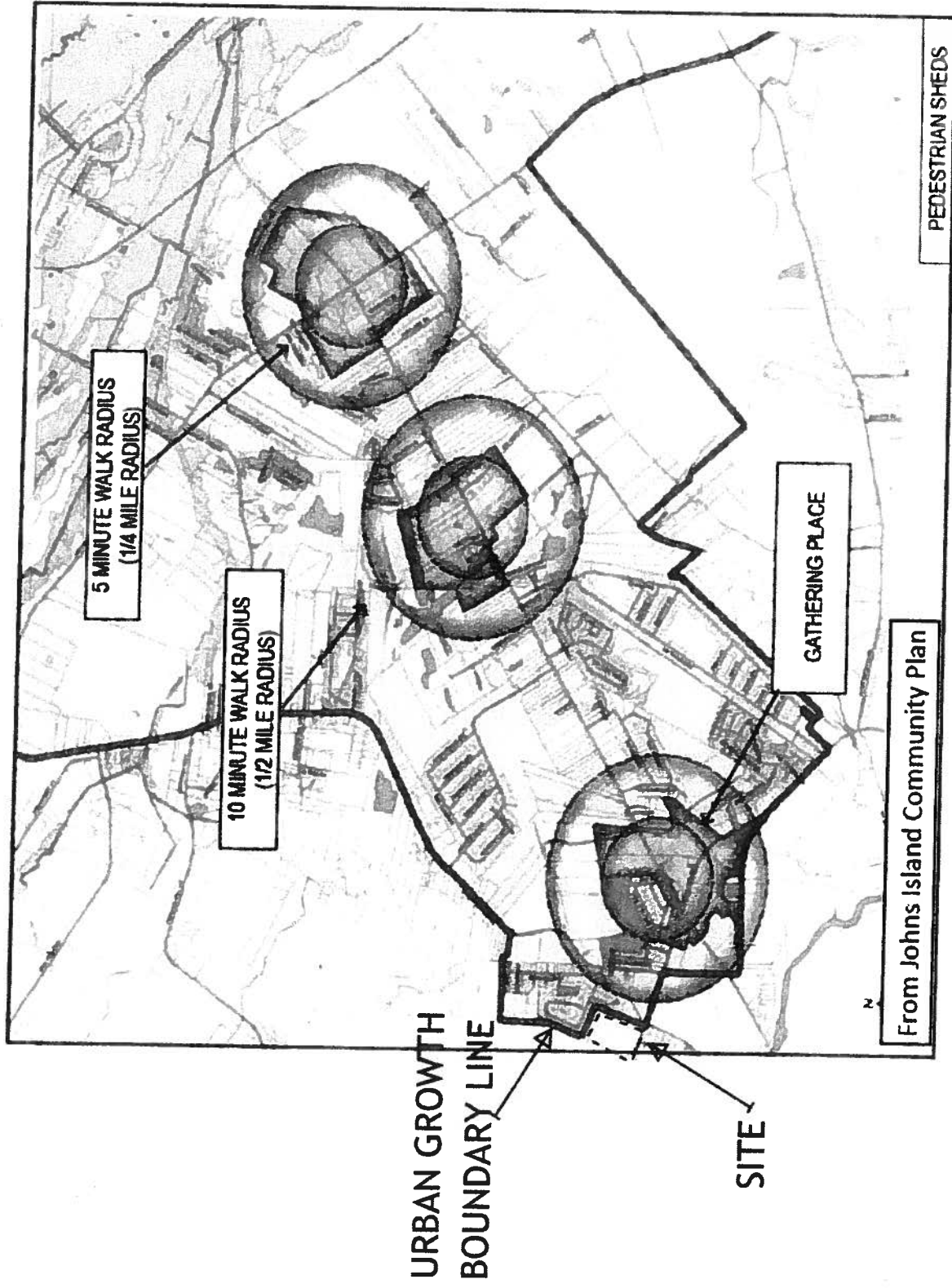
NEW 50' INGRESS-EGRESS AND GENERAL UTILITY EASEMENT

SEE NOTE 11 REGARDING
 USE OF YOST LANE

APPROX LIMIT FLOOD ZONE 1
 APPROX LIMIT FLOOD
 ZONE AT ELEV 1.1



TMS 280-00-00-077, 296 & 297





© 2014 Google

Site

200

Riverside Rd

Maple Hill Dr

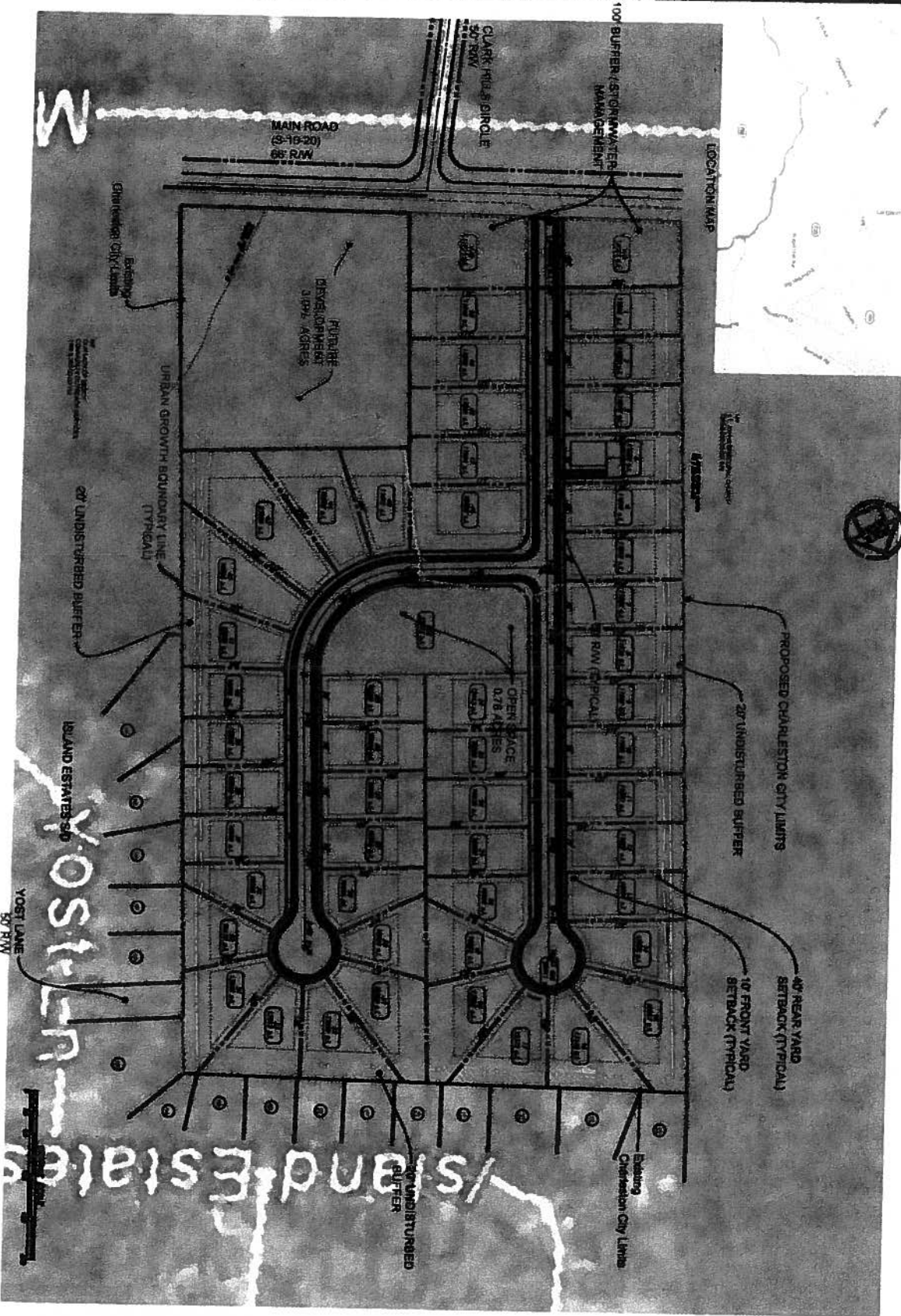
Paton Ave

Salem Rd

Salem Rd

Paton Ave

© 2014 Google



C-1

ANNEXATION / REZONING PLAN
 JCB
 TRACTS 280-00-00 077 296 297
 CHARLESTON COUNTY, SOUTH CAROLINA

Project No.	patterson
Drawn By	C.M.P.
Checked By	C.M.P.
Date	27 AUGUST 2004
Scale	1" = 50'

Patterson Engineering Company
 1200 Highway 101, Suite 100, Charleston, SC 29405
 803 798 4311 FAX 803 798 4312



Settlement Patterns

Existing Conditions

At the time of this workshop, the study area on Johns Island consisted of properties that are either within the City limits of the City of Charleston or under the jurisdiction of Charleston County. The planning, zoning and development regimes in place on Johns Island consist of conventional Euclidian, single-use zoning classifications and development ordinances consistent with 20th century practices. With regard to properties within the City, there are more than nineteen zoning classifications in use including SR-1, SR-2, SR-4, SR-6, SR-7, DR-1, DR-3, DR-6, DR-9, RR-1, CT, BP, LB, GB, C, GO, STR, LI, ND and PUD along with several overlay zones.

During the workshop, it became clear that the current zoning of Johns Island is not sensitive to the context of Johns Island despite the fact that the current zoning/development standards adhere to previously recommended/adopted land use strategies for Johns Island. Just as other areas of the City of Charleston, Johns Island retains a sense of place that is unique to Johns Island. The directed settlement patterns by virtue of zoning and development standard ordinances should be sensitive to the context and simplified in order to promote preferred form rather than serve as a list of prohibitions. The "list of prohibitions" approach results in the end users trying to optimize their position without regard to the broader context.

A considerable proportion of the land within the Urban Growth Boundary has been developed or is occupied with wetlands, and as such, cannot be developed. The properties have been developed and are consistent with the zoning ordinances in place. A map delineates these properties from undeveloped properties and from properties that in their present state represent potential development opportunities (Illustration 3). The "potential development opportunity properties" are generally those that have one or only a few structures in place on a relatively large parcel. In many cases, these properties lie along Maybank Highway and are characterized by their relatively narrow and deep shape. It is recognized that the shape of these properties can be an obstacle to designing larger and more coherent neighborhoods or neighborhood centers.



ILLUSTRATION 7
JOHNS ISLAND EXISTING ZONING

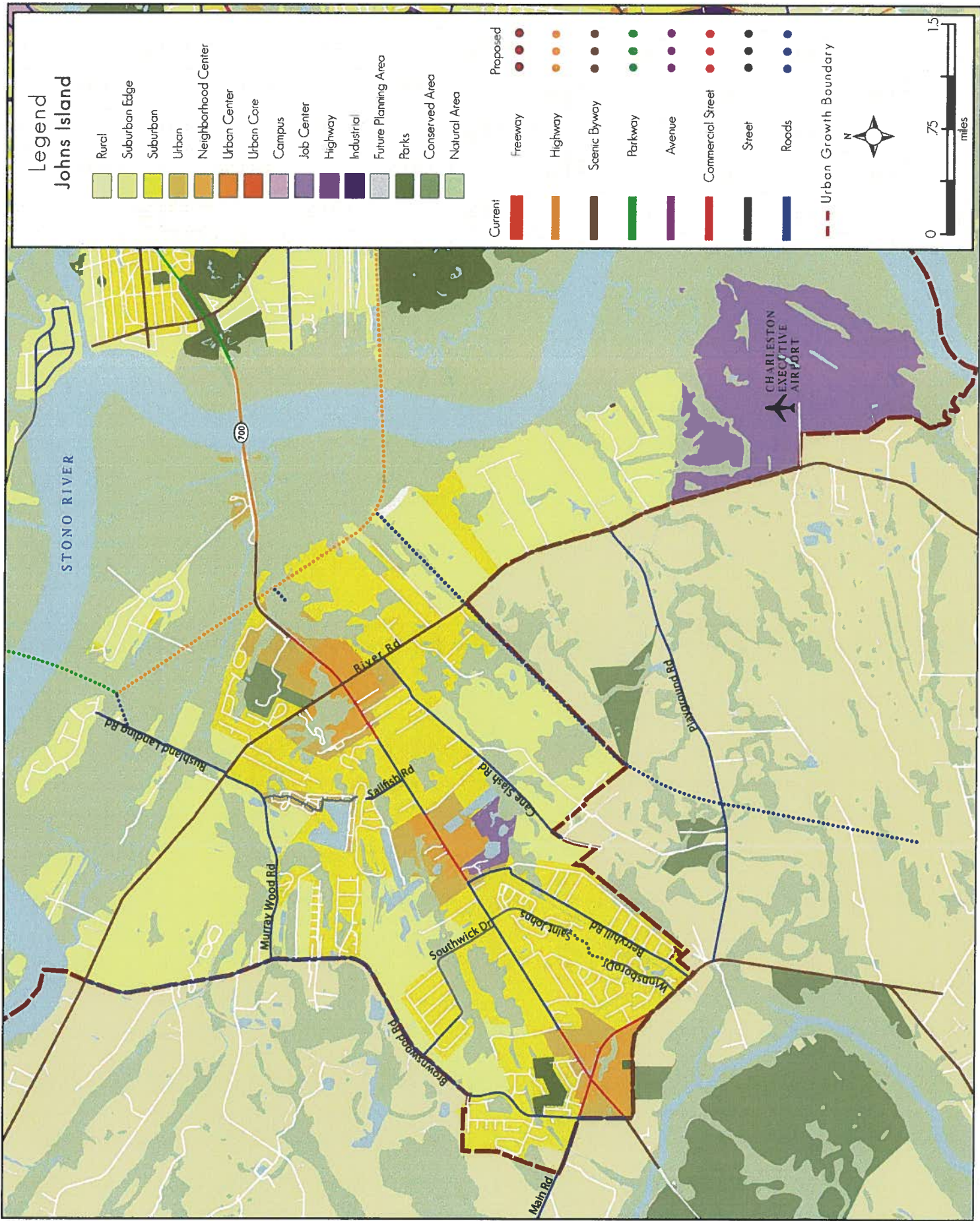


JOHNS ISLAND COMMUNITY PLANNING WORKSHOP

The City of Charleston, Department of Planning, Preservation & Economic Innovation

Conducted March 5th through 10th, 2007 Charleston, South Carolina

Settlement Patterns



Legend Johns Island

- Rural
- Suburban Edge
- Suburban
- Urban
- Neighborhood Center
- Urban Center
- Urban Core
- Campus
- Job Center
- Highway
- Industrial
- Future Planning Area
- Parks
- Conserved Area
- Natural Area

- | Current | Proposed |
|-----------------------|-------------------|
| Freeway | Freeway |
| Highway | Highway |
| Scenic Byway | Scenic Byway |
| Parkway | Parkway |
| Avenue | Avenue |
| Commercial Street | Commercial Street |
| Street | Street |
| Roads | Roads |
| Urban Growth Boundary | |





13.
Ratification
Number _____

AN ORDINANCE

TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT MAIN ROAD (JOHNS ISLAND) (20.62 ACRES) (TMS #280-00-00-077, 280-00-00-296 AND 280-00-00-297) (COUNCIL DISTRICT 5), BE ZONED SINGLE-FAMILY RESIDENTIAL (SR-1) CLASSIFICATION.

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1. That the Zoning Ordinance of the City of Charleston be, and the same hereby is amended, by changing the zone map thereof so that the below described property shall become a part thereof.

Main Road (Johns Island) (20.62 acres) (TMS #280-00-00-077, 280-00-00-296 and 280-00-00-297)

Section 2. That the said parcel of land described above shall be zoned Single-Family Residential (SR-1) classification.

Section 3. This ordinance shall become effective upon ratification.

Ratified in City Council this _____ day of _____ in the Year of Our Lord, 2014, in the 239th Year of Independence of the United States of America.

By:

Joseph P. Riley, Jr.
Mayor, City of Charleston

Attest:

Vanessa Turner-Maybank
Clerk of Council

Zoning

Main Road (Johns Island)

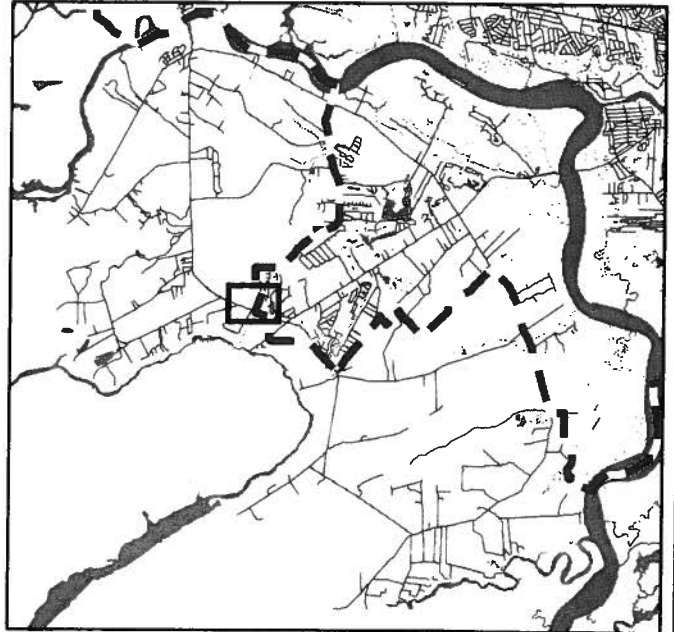
20.62 acres

TMS# 2800000077, 2800000296 & 2800000297

Request zoning to Single Family Residential (SR-1)

Owner: Allan A. Rashford

Area



Location

